

Attorneys at Law
JOONDEPH & BITTEL, LLP

SUITE 700

AKRON CENTRE PLAZA
50 SOUTH MAIN STREET
AKRON, OHIO 44308-1881

(330) 762-2600
FAX (330) 762-2604

JB1LAW@aol.com

Dale V. Wilson

MAR 7 1 2001

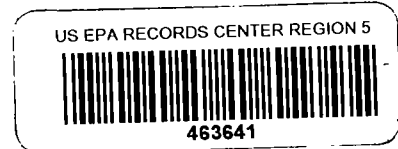
Cleveland, Ohio
(216) 348-1935

March 16, 2001

Certified Mail/RRR

(7000 0520 0018 2192 3019)

U.S. Environmental Protection Agency
Deena Sheppard-Johnson, SR-6J
Remedial Enforcement Support Section
77 West Jackson Blvd.
Chicago, IL 60604



Re: **Chemical Recovery Systems Site, Elyria, OH**
Ferriot Brothers, Inc., Akron, OH

Dear Ms. Sheppard-Johnson:

I am writing on behalf of Ferriot Inc. (fka Ferriot Brothers, Inc.), in response to a letter dated March 2, 2001, from Mr. James N. Mayka, P.E., Chief of EPA's Remedial Response Branch #2, with respect to the above-captioned site. I must note at the outset that, contrary to any suggestion in Mr. Mayka's letter, Ferriot Inc. never "owned or operated" the Chemical Recovery Systems, Inc. Elyria site. Neither did it, to the best of our knowledge, ever "transport" hazardous substances to the site. Further, based on our investigation to-date, we are unable to say that Ferriot ever sent hazardous substances (or anything else) to the CRS Elyria site. We recognize that it is possible that material generated by Ferriot and sent elsewhere might have ended up at (or passed through) the CRS site, however, as of this date, we are unaware of any credible information, which would cause us to believe this to be the case. It is also entirely possible that drums bearing the Ferriot name may have been utilized by other parties to send hazardous or non-hazardous substances to the CRS site.

We understand that during a conversation on March 14, 2001, Mr. Thomas C. Nash of EPA's Office of Regional Counsel indicated to Raymond T. Murphy, Esq., that several drums possibly attributable to Ferriot appeared on an inventory list of the Chemical Recovery Systems Elyria site dating back to 1979, more than 20 years ago. Mr. Murphy has asked Mr. Nash for, and we are awaiting, a copy of that inventory. In the interim we are in the process of trying to locate and, assuming that records dating back that far are available, will make reasonable efforts to determine whether shipments to CRS may have occurred.

Given the foregoing, we are unable to give any specific assurance, at this time, that Ferriot will participate in paying EPA's past costs or agree to perform future work at the site. We

U.S. Environmental Protection Agency
March 16, 2001
Page 2

can, however, assure you that, should credible information be developed linking Ferriot to the CRS Elyria site, Ferriot would be willing to cooperate with the Agency and whatever group of Potentially Responsible Parties is formed to reasonably address the issues at the site, fully consistent with applicable law.

We wish to restate our earlier request for a copy of the inventory and would like to expand that request to include *any* information in the possession of U.S. EPA that might link Ferriot Inc. to the site.

I trust that the foregoing is sufficient for your purposes. If I can be of further assistance in connection with this matter, please do not hesitate to contact me or Mr. Murphy. Please direct all future correspondence in connection with the above-captioned matter to Raymond T. Murphy, Esq. at 5 Revere Drive, Suite 200, Northbrook, IL 60062-1500. Finally, nothing in this letter should be construed as an admission of liability on the part of Ferriot Inc. with respect to the Chemical Recovery Systems Elyria (or any other) site.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Wilson", with a large, stylized initial "D" and a long horizontal stroke extending to the right.

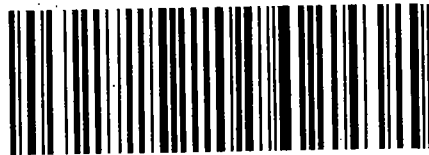
Dale V. Wilson

cc: George Grosso, Ferriot Inc.
Raymond T. Murphy, Esq.

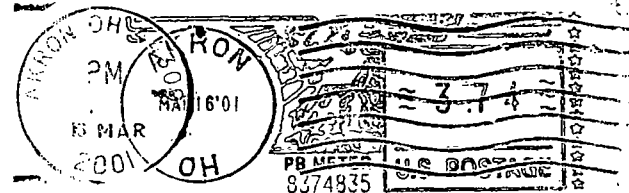
P.S. It should be noted that during their March 14, 2001 conversation, Mr. Nash agreed, at Mr. Murphy's request, to extend the date for responding to Mr. Mayka's letter until March 19, 2001.

JOONDEPH & BITTEL, LLP
Suite 700, Akron Centre Plaza
50 South Main Street
Akron, Ohio 44308-1881

CERTIFIED MAIL



7000 0520 0018 2192 3019



Certified Mail/RRR

U.S. Environmental Protection Agency
Deena Sheppard-Johnson, SR-6J
Remedial Enforcement Support Section
77 West Jackson Blvd.
Chicago, IL 60604

60604+3511

